

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

CELSIUS NETWORK LLC, et al.,

Debtors.

Case No. 22-10964 (MG)

**ORDER ESTABLISHING THE ORDER OF OBJECTING PARTIES AND
OPPOSITION DECLARANTS TO BE HEARD AT THE CONFIRMATION HEARING**

The Order Clarifying Case Management Procedures for the Confirmation Hearing (Modification #2) (ECF Doc. # 3740) approved the Debtors' request for the Court to disclose the order in which the Court anticipates taking testimony from declarants or other witnesses in opposition to confirmation ("Opposition Declarants").

Any objector who wishes to submit testimony that will be offered in evidence in support of objections must submit the testimony in writing, under oath. The oath must comply with 28 U.S.C. § 1746, which provides as follows:

- (1) If executed without the United States: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)".
- (2) If executed within the United States, its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)".

For the direct testimony to be admitted in evidence, witnesses must appear in the courtroom for cross-examination and redirect examination unless the Court permits remote appearance by Zoom pursuant to Federal Rule of Civil Procedure 43(a), which requires in relevant part:

“For good cause in compelling circumstances and with appropriate safeguards, the court may permit testimony in open court by contemporaneous transmission from a different location.”

Witnesses requesting to appear remotely must file an application with the Court requesting to do so and must satisfy the compelling circumstances standard.

Argument by parties in interest in support of objections based on evidence already in the record may be made remotely by Zoom without appearance in the courtroom.

NOW, THEREFORE, IT IS HEREBY ORDERED that parties who have objected to confirmation and any Opposition Declarants will be heard in the following order at the Confirmation Hearing:

1. U.S. Trustee
2. Securities and Exchange Commission
3. New Jersey Bureau of Securities
4. Core Scientific, Inc. and Core Scientific Operating Company
5. 168 Trading Limited
6. Koala 2 LLC
7. Johan Bronge
8. Harrison Schoenau
9. Otis Davis
10. Victor Ubierna de las Heras
11. Zack Kaplan, Ben Kaplan, Michael Kaplan, Eli Kaplan, Michael Mazzotta, Taylor Goines, Matthew Coffey, and Jonathan Holt (the “Securities Plaintiffs”)
12. David Schneider
13. Richard Phillips
14. Eric Cassidy

15. Elizabeth Bohon
16. Travis Keeney
17. Michael Windom
18. James Johantgen
19. Caroline Abruzese
20. Peter Maurice Truss
21. Benjamin Dame
22. Cathy Lau

IT IS SO ORDERED.

Dated: October 13, 2023
New York, New York

/s/ Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge